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Attorneys for Defendants NAVIENT SOLUTIONS,  
INC., and NAVIENT CORPORATION

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**  
**PORTLAND DIVISION**

CHRISTOPHER HUGHSON,

Plaintiff,

v.

NAVIENT SOLUTIONS, INC.,  
NAVIENT CORPORATION,

Defendant.

Case No.: 3:16-cv-02289

**NOTICE OF REMOVAL TO FEDERAL  
COURT**

[28 U.S.C. §§ 1331, 1441 and 1446]

TO: THE CLERK OF THE ABOVE-ENTITLED COURT AND ALL PARTIES:

PLEASE TAKE NOTICE that Defendants Navient Solutions, Inc. (“NSI”) and Navient Corporation (“Navient”) (hereafter collectively “Defendants”) hereby remove this action from the Circuit Court of the State of Oregon, County of Multnomah, to the United States District Court for the District of Oregon pursuant to 28 U.S.C. §§ 1331 and 1441(a). Defendants remove this case on grounds of federal question jurisdiction. Defendants’ Notice of Removal is based upon and supported by the following:

1 – NOTICE OF REMOVAL

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.  
The KOIN Center  
222 SW Columbia Street, Suite 1500 | Portland, OR 97201  
Phone: 503.552.2140 | Fax: 503.224.4518

### **STATEMENT OF THE CASE**

1. On November 7, 2016, Plaintiff Christopher Hughson commenced this civil action against Defendants in the Circuit Court of the State of Oregon for the County of Multnomah (“the State Court Action”). Plaintiff purports to bring a claim for violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et seq.* (“TCPA”). *See* concurrently-filed Declaration of Alysia J. Harris in Support of Defendants’ Notice of Removal (“Harris Decl.”), Exhibit 1 (Summons and Complaint) and Exhibit 2 (Oregon eCourt Case Information docket printout for Multnomah County Circuit Court).<sup>1</sup>

2. On November 9, 2016, Plaintiff’s Complaint and Summons issued thereon was served on Defendants. *See* Harris Decl., Exhibit 3.

3. This Notice of Removal is timely because it is filed within 30 days of service of the Complaint. 28 U.S.C. § 1446(b)(2)(B) (“Each defendant shall have 30 days after receipt by or service on that defendant of the initial pleading or summons described in paragraph (1) to file the notice of removal”).

4. Removal to this Court is appropriate because the Complaint is pending in the Circuit Court of the State of Oregon for the County of Multnomah, which is located in the Portland Division’s jurisdiction. *See* 28 U.S.C. § 1441(a).

### **GROUND FOR REMOVAL**

5. The Court has original jurisdiction over the State Court Action under 28 U.S.C. § 1331 because Plaintiff’s cause of action arises under the laws of the United States; namely, 47 U.S.C. § 227. *See* Complaint, ¶ 25, attached as Ex. 1 to the Harris Decl.

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<sup>1</sup> All exhibits referenced herein are attached to the Harris Declaration and are incorporated by reference.

6. The State Court Action, therefore, may be removed to this Court by Defendants pursuant to 28 U.S.C. § 1441(a).

**NOTICE PROVIDED TO PLAINTIFF AND STATE COURT**

7. Defendants have complied with 28 U.S.C. § 1446(a) & (d). Under 28 U.S.C. § 1446(a), a true and correct copy of all of the process, pleadings, or orders on file in the State Court Action are attached as Exhibits 1 and 4 to the Harris Declaration. Harris Decl., ¶¶ 2, 5, and 6.

8. Pursuant to 28 U.S.C. § 1446(d), a notice of filing of removal, with a copy of this notice of removal attached, will be promptly filed with the clerk of the Circuit Court of the State of Oregon, County of Multnomah, in Case No. 16CV36733, which is the court in which this action was commenced and pending at the time this Notice of Removal was filed with this Court. Defendants will promptly serve a notice of filing of removal, with a copy of the notice of removal attached, on Plaintiff.

**CONCLUSION**

9. By this notice, Defendants do not waive any objections they may have as to improper service, jurisdiction, or venue, or any other defenses or objections to this action. Defendants intend no admission of fact, law, or liability by this notice, and reserve all defenses, motions, and pleas. Defendants pray that this action be removed to this Court for determination, that all further proceedings in the state court suit be stayed, and that Defendants obtain all additional relief to which they are entitled.

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10. WHEREFORE, Defendants Navient Solutions, Inc. and Navient Corporation respectfully request that the above-entitled action now pending against them in the Circuit Court of the State of Oregon, County of Multnomah, be removed therefrom to this Court.

Dated: December 7, 2016

**OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.**

By: s/ Alysia J. Harris

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Attorneys for Defendants NAVIENT  
SOLUTIONS, INC., and NAVIENT  
CORPORATION

**CERTIFICATE OF SERVICE**

I hereby certify that on December 7, 2016, I served the foregoing **NOTICE OF REMOVAL TO FEDERAL COURT** on:

Christopher Hughson  
4754 SW Admiral Street  
Portland, OR 97221  
chris@oregonrealtyadvisors.com

*Pro se* Plaintiff

- ☐ by **electronic** means through the Court's Case Management/Electronic Case File system, which will send automatic notification of filing to each person listed above.
- ☒ by **mailing** a true and correct copy to the last known address of each person listed above. It was contained in a sealed envelope, with postage paid, addressed as stated above, and deposited with the U.S. Postal Service in Portland, Oregon.
- ☐ by causing a true and correct copy to be **hand-delivered** to the last known address of each person listed above. It was contained in a sealed envelope and addressed as stated above.
- ☐ by causing a true and correct copy to be delivered **via overnight courier** to the last known address of each person listed above. It was contained in a sealed envelope, with courier fees paid, and addressed as stated above.
- ☒ by **e-mailing** a true and correct copy to the last known email address of each person listed above.

**OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.**

By: s/Rosealynn Seitz  
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